

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
for Ch'le
FILED
FEB 26 2008

JOHN E. O'CORCORAN, CLERK
BY: *Fay O'Corcoran*
DEPUTY CLERK

NILDA N. VENEY,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,¹

Defendant.

CIVIL No. 3:07cv00004

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross-motions for summary judgment (docket entry nos. 10 and 12), the Report and Recommendation of U.S. Magistrate Judge B. Waugh Crigler (docket entry no. 14), and Plaintiff's objections thereto (docket entry no. 17). For the reasons set forth in the accompanying Memorandum Opinion:

1. Plaintiff's objections are hereby OVERRULED,
2. the Report and Recommendation is hereby ADOPTED in its entirety,
3. the Commissioner's final decision is hereby AFFIRMED,
4. the Commissioner's motion for summary judgment is hereby GRANTED,
5. Plaintiff's motion for summary judgment is hereby DENIED,
6. Plaintiff's case is hereby DISMISSED WITH PREJUDICE, and
7. the Clerk of the Court is hereby directed to STRIKE this case from the Court's docket.

It is so ORDERED.

¹ On February 12, 2007, Michael J. Astrue succeeded the original defendant in this action, Jo Anne B. Barnhart, as the Commissioner of Social Security. Accordingly, Commissioner Astrue "is automatically substituted as a party." Fed. R. Civ. P. 25(d).

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED:



United States District Judge

02/26/2008

Date